

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

SUMMONS FOR JUDGMENT NO.697 OF 2004

IN

SUMMARY SUIT NO.1672 OF 2004

Bhatia Shipping Agencies.

...Plaintiff.

Versus

Alcobex Metals Ltd.

...Defendant.

Mr. Vishal Sheth i/b. Ruben A. Fernandes for the Plaintiff.

Ms. Fereshte Sethna with Ms. Dipti Das & Ms. Suja T.G. i/b. Dunmorr  
Seit for the Defendant.

CORAM : DR. D.Y. CHANDRACHUD, J.

June 19, 2007.

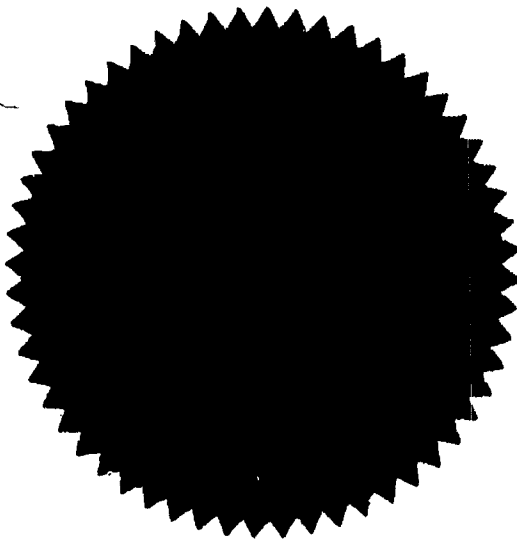
P.C.:

The two defences urged on behalf of the Defendant namely, (i) That the alleged acknowledgment of liability at Exhibit-A to the plaint is a forged; and (ii) That the Defendant has forfeited a sum of Rs.22,85,517.53 being the price of a consignment which was misdelivered by the Plaintiff and, having regard to the Defendant's letter dated 16<sup>th</sup> December 2002, triable raise issues. Unconditional leave is accordingly granted to defend the suit. The Summons for Judgment is

disposed of. Written Statement to be filed within six weeks from

2

today.



CERTIFIED TO BE A TRUE COPY

This 9<sup>th</sup> day of July 2007  
*[Signature]*

to Notary and Senior Master

*[Signature]*

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9 JUL 2007  
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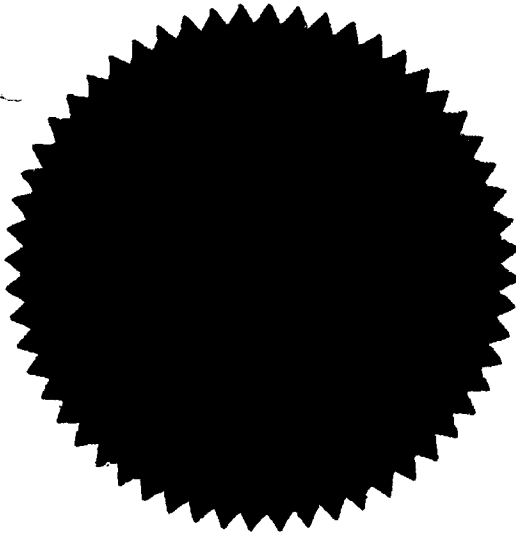
9/11/07  
J. S. J.

to: Postmaster and Senior Master

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